

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

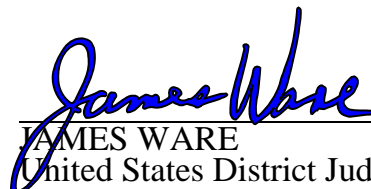
FLEMING SMITH,	)	No. C 09-03146 JW (PR)
	)	
Plaintiff,	)	ORDER OF DISMISSAL
	)	
vs.	)	
	)	
THE PEOPLE OF THE STATE OF	)	
CALIFORNIA, et al.,	)	
	)	
Defendant(s).	)	
_____	)	

Per order filed on April 29, 2010, the Court dismissed plaintiff's pro se prisoner civil rights complaint with leave to amend within thirty days, and advised plaintiff that failure to file a proper amended complaint within the designated time may result in the dismissal of this action. (Docket No. 12 at 5.)

More than thirty days have elapsed. However, plaintiff has not filed an amended complaint or sought an extension of time to do so. Accordingly, this action is DISMISSED.

The clerk shall close the file.

DATED: July 13, 2010

  
JAMES WARE  
United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

FLEMING SMITH III,  
Plaintiff,

Case Number: CV09-03146 JW

**CERTIFICATE OF SERVICE**

v.

THE PEOPLE OF STATE OF CALIFORNIA,  
et al.,

Defendants.

\_\_\_\_\_/

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 7/13/210, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Fleming Smith P21021  
CSATF/State Prison at Corcoran  
P. O. Box 5242  
Corcoran, Ca 95378-0600

Dated: 7/13/2010

Richard W. Wieking, Clerk  
/s/ By: Elizabeth Garcia, Deputy Clerk